

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION IN THE COMMISSIONERS’ ROOM OF THE CRAVEN COUNTY ADMINISTRATION BUILDING, 406 CRAVEN STREET, NEW BERN, NORTH CAROLINA ON MONDAY, MARCH 21, 2005. THE MEETING CONVENED AT 8:30 A.M.

MEMBERS PRESENT:

Chairman George N. Brown, Jr.
Vice Chairman Perry L. Morris
Commissioner Lee Kyle Allen
Commissioner Bill Harper
Commissioner Johnnie Sampson, Jr.
Commissioner M. Renée Sisk
Commissioner Leon C. Staton

STAFF PRESENT:

Harold Blizzard, County Manager
George B. Sawyer, Assistant County Manager
Richard F. Hemphill, County Finance Officer
Ray H. Moser, Human Resources Director
Gwendolyn M. Bryan, Clerk to the Board
James R. Sugg, County Attorney

Following an invocation by Commissioner Sampson and the Pledge of Allegiance, Commissioner Sisk moved to approve minutes of February 7 and 21, 2005 regular sessions, seconded by Commissioner Morris and unanimously carried in a roll call vote.

Prior to consideration of the consent agenda, County Planning Director, Don Baumgardner, advised the Board that one of the items on the request for subdivision approval, Tivoli Subdivision, would warrant some discussion. As a result, Commissioner Allen requested to remove the subdivisions for approval from the consent agenda for later discussion.

CONSENT AGENDA

Budget Amendments

Craven County Finance Officer, Rick Hemphill, submitted the following budget amendments for the Board’s approval. Commissioner Allen moved for their approval, seconded by Commissioner Samspon and unanimously carried in a roll call vote.

DSS 7231 TANF

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7231-349-30-00	\$51,282.00	101-7231-450-39-28	\$63,000.00
IV-E Foster Care		IV-E Foster Care	
101-0000-399-01-00	\$11,718.00	101-7231-450-39-21	\$102,000.00
Fund Balance		IV-B Foster Care	
101-7231-349-31-00	\$30,000.00	101-7231-450-39-34	\$15,285.00
IV-B Foster Care		IV-B Adoption	
101-00-399-01-0	\$72,000.00		
Fund Balance			
101-7231-349-41-0	\$7,600.00		
Adoptions			
101-00-399-01-0	\$7,685.00		
Fund Balance			
TOTAL	\$180,285.00	TOTAL	\$180,285.00

Justification: Due to increase in cost of foster care board payments, number of children, and number of high risk placements and group home placements, as well as necessary

items for foster children, funds are needed to provide these items and the board payments for the remainder of the year. There is a 20% County match on the IV-E foster care funds, a 50% County match on the standard board rate for IV-B foster care payments, and an approximate 50% match for the IV-B adoption funds needed.

Multiple

101-0000-301-01-00	\$760,000.00	101-0560-400-10-06	\$25,000.00
Current Tax		Payroll Accrual	
101-0000-301-05-00	\$(400,000.00)	101-2001-410-32-33	\$7,850.00
Current Yr Veh		Ammo	
101-0000-345-01-00	\$472,000.00	101-2001-410-31-01	\$50,000.00
1 Cent Sales Tax		Vehicle Exp	
101-0000-345-02-00	\$(100,000.00)	101-2001-410-11-04	\$11,000.00
Art 40 Gen ½ cent		W/C	
101-0000-345-04-00	\$(100,000.00)	101-2001-410-10-02	\$22,800.00
Art 42 Gen ½ cent		Salaries	
101-0000-345-06-00	\$35,000.00	101-2001-410-11-01	\$2,000.00
Art 44 ½ cent		FICA	
101-2001-351-00-00	\$35,000.00	101-2001-410-11-02	\$1,850.00
Sheriff Fees		Retirement	
101-2008-349-40-00	\$25,000.00	101-2001-410-11-05	\$1,500.00
Inmate Hlth		Spec Retirement 5%	
101-2401-355-01-00	\$10,000.00	101-2004-410-10-23	\$18,650.00
Electrical		Leo Sep Allowance	
101-2401-355-02-00	\$40,000.00	101-2004-410-11-01	\$1,360.00
Bldg		FICA	
101-2401-355-13-00	\$10,000.00	101-2008-410-32-08	\$175,000.00
Plumbing		Medical	
101-2401-355-14-00	\$4,000.00	101-2008-410-40-04	\$15,000.00
Mechanical		Food Service	
101-3201-305-11-00	\$30,000.00	101-1501-400-10-02	\$6,800.00
Recycling		Salaries	
101-3201-357-82-00	\$20,000.00	101-3201-420-10-02	\$3,673.00
Sticker Sales		Salaries	
		101-3235-420-10-02	\$3,709.00
		Salaries	
		101-560-400-82-01	\$500,000.00
		Debt Write off	
		101-3235-420-40-67	\$(5,192.00)
		Reg Pulls	
TOTAL	\$841,000.00	TOTAL	\$841,000.00

Justification: To get revenues and expenditures in line with actual year to date and projections through year end. Large items are medical costs in jail due to same significant hospital bills (\$175,000), second of third write off of due to/due from General fund and Occupancy Tax Trust fund and adjustment to property and sales tax based on first 8 months.

Rescue Squads

101-2825-357-53-00	\$8,500.00	101-2801-410-40-03	\$1,650.00
NB Craven		Collections Cont	
101-2830-357-52-00	\$8,000.00	101-2825-410-33-10	\$7,650.00
Cove City		Reimbursement	
		101-2830-410-33-10	\$7,200.00
		Reimbursement	
TOTAL	\$16,500.00	TOTAL	\$16,500.00

Justification: Additional Billing funds being received – 10% billing fees, 90% to squads.

EDC-BSH

101-4401-348-92-00	\$200,000.00	101-4401-430-47-01	\$200,000.00
Dept of Commerce		BSH	
TOTAL	\$200,000.00	TOTAL	\$200,000.00

Justification: Budget Incentive received from One NC Fund to be paid to Bosch.

DSS 7295/7221

101-7295-377-28-00	\$17,610.00	101-7221-450-40-00	\$9,421.00
Home Del		Contractual Services	
101-7295-377-26-0	\$(27,031.00)		
HCCBG Congregate			
101-00-399-01-0	\$9,421.00		
Fund Balance			
101-7221-349-27-0	\$9,421.00		
HCCBG In Home St			
101-7295-377-16-0	\$(3,772.00)		
USDA Cong			
101-7295-377-18-0	\$677.00		
Home Del			
101-00-399-01-0	\$3,095.00		
Fund Balance			
TOTAL	\$9,421.00	TOTAL	\$9,421.00

Justification: HCCBG revision to redistribute allocations. Decreased Congregate and redistributed to Home Delivered program and DSS in Home Services Program.

Cooperative Ext. PAT

101-4242-348-5900	\$(1,365.00)	101-4242-420-25-00	\$(965.00)
Smart Start		Travel	
		101-4242-420-25-15	\$(400.00)
		Training	
TOTAL	\$(1,365.00)	TOTAL	\$(1,365.00)

Justification: Voluntarily reverting funds back to Smart Start. Parent Educator will not be attending the “Born to Learn” Conference as originally planned due to a scheduling conflict.

Juvenile Restitution – State of the Child

565-0000-399-01-00	\$2,052.00	565-7501-500-32-40	\$2,052.00
Fund Balance		Other Supplies	
TOTAL	\$2,052.00	TOTAL	\$2,052.00

Justification: Budget Juvenile Rest Fund Balance to cover costs of the State of the Child Conference.

Tax Releases and Refunds

Craven County Tax Administrator, Ronnie Antry, submitted the following tax releases and refunds for the Board’s approval. Commissioner Allen moved for their approval, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Credits

TAXPAYER NAME	TICKET #	AMOUNT
ANTWINE, DAVID J & LUCY INCORRECT SITUS-SHOULD BE PAMLICO CO	2004-0090131	\$5.47
BERNARD, JAMIE DEAN NOT IN BUSINESS 01/01/2004	2004-0090410	\$63.57
CHANDLER, MICHAEL D & MELISSA MILITARY ½ VAL 04 LES-FL ECC-07/28/05	2004-0008911	\$104.34
CRAVEN COUNTY EXEMPT PROPERTY	2004-0011418	\$33.12
DIXON, MARLYN DID NOT OWN 01/01/04	2004-0013908	\$47.03
FORNES, LINWOOD EARL INCORRECT SITUS-SHOULD BE CARTERET CO	2004-0091632	\$44.09
HAMILTON, JOHN PROPERTY VACANT	2004-0021767	\$33.12
HAMILTON, JOHN PROPERTY VACANT	2003-0021395	\$36.00
HAMILTON, JOHN PROPERTY VACANT	2002-0011297	\$38.88
HAMILTON, JOHN PROPERTY VACANT	2001-0021044	\$41.76
IPOCK, RAY C COMMERCIAL BUILDING-NO RECYCLE DUE	2005-0090008	\$32.00
JENKINS, LULA D ET AL DWELLING BURNED IN 2002	2004-0026985	\$118.52
JONES POTTS MUSIC COMPANY INC NOT IN BUSINESS 01/01/2003	2003-0090548	\$7.41
JONES, JOHNNY JULIAN SR DWELLING VACANT SINCE 2001	2004-0027898	\$33.12
KIBLER, DEVIN & NINA MILITARY-1/2 VAL. DEVIN 05 LES-IL ECC-11/29/05	2004-0028879	\$66.21
LAVALLE, FRANCIS XAVIER NOT LOCATED IN CRAVEN CO. 01/01/2004	2004-0030421	\$34.44
LEWIS, JANIE S ADJUST OF RECYCLE FEE FOR SCE	2005-0090010	\$10.00
MORGAN, AARON & ERMA PROPERTY VACANT	2004-0036466	\$27.94
OCRACOCK AIRLINES INC DOUBLE LISTED WITH ACCT #41385	2004-0090903	\$327.46

ORMOND, JAMES HENRY DID NOT OWN 01/01/2004	2004-0038978	\$2.26
PEARSALL, ERNEST R DID NOT OWN 01/01/2000	2000-0038140	\$111.09
PEARSALL, ERNEST R DID NOT OWN 01/01/2001	2001-0038510	\$114.34
PITTS, DOLAN NOT LOCATED IN CRAVEN CO. 01/01/96	1996-0090818	\$240.40
PITTS, DOLAN NOT LOCATED IN CRAVEN CO. 01/01/97	1997-0036068	\$197.58
PITTS, DOLAN NOT LOCATED IN CRAVEN CO. 01/01/98	1998-0092706	\$203.65
PITTS, DOLAN NOT LOCATED IN CRAVEN CO. 01/01/98	1998-0093416	\$331.80
PITTS, DOLAN NOT IN CRAVEN CO. 01/01/99	1999-0037825	\$182.32
PITTS, DOLAN NOT IN CRAVEN CO. 01/01/99	1999-0037826	\$297.13
PITTS, DOLAN NOT IN CRAVEN CO. 01/01/03	2003-0091485	\$96.97
PITTS, DOLAN NOT IN CRAVEN CO. 01/01/04	2004-0040729	\$84.70
PRICE, IRA JAMES JR DID NOT OWN 01/01/2004	2004-0041353	\$28.55
REVITT, ANTHONY J & BARBARA J BOAT SANK IN 2003	2004-0090275	\$125.99
STEWART, ETTA MAE ADJUST OF RECYCLE FEE ON SCE	2005-0090019	\$40.00
STRAYHORN, CHARLES H PROPERTY VACANT	2004-0048638	\$33.12
TYNDALL, RUBY C ADJUST. RECYCLE FEE FOR SCE	2005-0090021	\$20.00
UMBA, DENNIS W DID NOT OWN BOAT 1/1/04	2004-0051916	\$22.92
WATSON, MARSHALL A JR & DOROTHY ADJUST. RECYCLE FEE FOR SCE	2005-0090023	\$48.00
WEIBEL, ALAN BRIAN PROPERTY VACANT	2004-0053709	\$33.12
WELLER, DONNA GASKINS CORRECTING SIZE OF MOBILE HOME	2004-0091693	\$14.94
WEST, EDNA ADJUST RECYCLE FEE FOR SCE	2005-0090026	\$10.00

WILLIAMS, DANNY A DID NOW OWN 01/01/2004	2004-0055826	\$55.92
---	--------------	---------

WILLIAMS, DANNY A DID NOT OWN 01/01/2002	2002-0054892	\$30.59
---	--------------	---------

WILLIAMS, DANNY A DID NOT OWN 01/01/2003	2003-0055262	\$62.03
---	--------------	---------

43 – CREDIT MEMO (S)	\$3,491.90
----------------------	------------

Refunds

BLANGO, ERNEST & FLOSSIE PROPERTY VACANT	2004-0004592	\$32.88
---	--------------	---------

GROUP SIX INVESTMENT PROPERTY CORRECTING APPRAISAL ERROR-EXEMPT PROPERTY	2001-0020347	\$309.08
---	--------------	----------

GROUP SIX INVESTMENT PROPERTY CORRECTING APPRAISAL ERROR-EXEMPT PROPERTY	2002-0020609	\$372.71
---	--------------	----------

GROUP SIX INVESTMENT PROPERTY CORRECTING APPRAISAL ERROR – EXEMPT PROPERTY	2003-0020724	\$362.51
---	--------------	----------

JENKINS, LULA D ET AL DWELLING BURNED IN 2002	2003-0026535	\$118.52
--	--------------	----------

JOHNDROW, NANCY L WORSHAM DEFERRED TAX BILLING ERROR	2004-0027174	\$483.67
---	--------------	----------

JOHNDROW, NANCY L WORSHAM OVERPAYMENT OF DEFERRED VALUE	2004-0090079	\$1,082.21
--	--------------	------------

MASON, WILLIAM THOMAS CLARK PROPERTY VACANT	2004-0033097	\$32.00
--	--------------	---------

MASON, WILLIAM THOMAS CLARK PROPERTY VACANT	2000-0031628	\$24.00
--	--------------	---------

MASON, WILLIAM THOMAS CLARK PROPERTY VACANT	2001-0031939	\$32.00
--	--------------	---------

MASON, WILLIMA THOMAS CLARK PROPERTY VACANT	2002-0032345	\$32.00
--	--------------	---------

MASON, WILLIAM THOMAS CLARK PROPERTY VACANT	2003-0032596	\$32.00
--	--------------	---------

MORGAN, AARON & ERMA PROPERTY VACANT	2004-0036466	\$5.00
---	--------------	--------

STRAYHORN, CHARLES H PROPERTY VACANT	2002-0047709	\$35.76
---	--------------	---------

STRAYHORN, CHARLES H PROPERTY VACANT	2003-0048098	\$32.88
---	--------------	---------

STRAYHORN, CHARLES H PROPERTY VACANT	2001-0046903	\$32.64
---	--------------	---------

17 – REFUND (S) \$3,188.88

Resolution Designating Fairfield Harbour Mosquito Control Agent

The Board was requested to adopt the following resolution designating Allen Ritter as the licensed agent for the County to engage in mosquito control work at Fairfield Harbour, which occurs each year. Commissioner Allen moved to adopt the following resolution designating Allen Ritter as the licensed agent for the County to engage in mosquito control work at Fairfield Harbour, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**RESOLUTION TO BE ADOPTED BY THE BOARD OF COMMISSIONERS
DESIGNATING OFFICIAL TO SIGN PAPERS AND TO OTHERWISE
REPRESENT THE BOARD IN CONNECTIONS WITH MOSQUITO CONTROL**

Upon motion of Commissioner Allen, seconded by Commissioner Sampson, it is hereby ordered that Alan Howard Ritter, Fairfield Harbour Property Owners Assoc., as agent for Craven County, is hereby authorized and empowered to sign and execute all papers and documents necessary in connection with the request made to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, for aid in control of mosquitoes. He is further authorized and required to carry out all agreements stipulated in the project application submitted by us to the Division of Environmental Health, North Carolina Department of Environment and Natural Resources, and to perform other acts that are proper and necessary in connection with the operation of this project. Acts of said person on behalf of said Craven County, are in all respects validated, approved and confirmed.

Request for Proclamation for Child Abuse Prevention Month

Craven County Department of Social Services requested that the Board adopt the following proclamation of April as Child Abuse Prevention Month in Craven County. Commissioner Allen moved to adopt the following proclamation in honor of Child Abuse Prevention Month in Craven County, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

**CHILD ABUSE PREVENTION
MONTH**

WHEREAS, our children deserve the best we have within us and look to us to be their protectors, role models, heroes and heroines; and

WHEREAS, children who are loved and nurtured grow up to love and nurture others. They give back to their own families, their neighborhoods, and the entire state the good that was bestowed on them. The cycle continues; and

WHEREAS, over 107,000 children are reported as abused and neglected in North Carolina each year, and 30 children died in 2003 due to abuse. The survivors often carry the burden of their abuse into adulthood; and

WHEREAS, child abuse and neglect know no social or economic boundaries;
and

WHEREAS, preventing child abuse and neglect is the responsibility of every citizen, and community action and involvement are essential to breaking the cycle of abuse; and

WHEREAS, it is vital that all citizens become more aware of the effects of child abuse and its prevention within the community, and become involved in supporting parents to raise their children in safe, nurturing environments.

NOW, THEREFORE, BE IT RESOLVED, that the Craven County Board of Commissioners do hereby proclaim April 2005, as “Child Abuse Prevention Month” in Craven County, and commend this observance to all of our citizens.

Adopted this the 21st day of March, 2005.

RESOLUTION FOR MILITARY FAMILY OF THE QUARTER

The Board was requested to adopt a resolution recognizing the family of Staff Sergeant Sean C. Crotty as Military Family of the Quarter. Commissioner Allen moved for adoption of the following resolution, seconded by Commissioner Sampson and unanimously carried.

**RESOLUTION
RECOGNIZING THE FAMILY OF
STAFF SERGEANT SEAN C. CROTTY
AS MILITARY FAMILY OF THE QUARTER**

WHEREAS, Staff Sergeant Sean C. Crotty serves with distinction as the Administrative Chief and Riverine Patrol SNCOIC for the Provost Marshal’s Office, as well as the SNCOIC for the MCAS Cherry Point Burial Detail, coordinating and conducting final military honors for Marines; and

WHEREAS, he is tasked with maintaining the effective and efficient operations of the Administrative section, Traffic Court and Supply, in addition to planning and conducting the perimeter patrols of the installation in PMO’s boats and ATV’s; and

WHEREAS, SSgt. Crotty successfully balances his many duties aboard MCAS Cherry Point with full time study as a double major in computer science and criminal justice; and

WHEREAS, SSgt. Crotty still finds time to dedicate to the activities of his family and community, serving as a little league coach and “girl scout dad”, and assisting neighbors and co-workers with self-help projects and repairs, and

WHEREAS, his wife of ten years, Jane, and their three children, Megan, Sean Jr., and Nicholas, are supportive of his many contributions; and

WHEREAS, Mrs. Crotty volunteers her time as a field trip chaperone at Annunciation Catholic School, where she also assists the teachers with special projects.

NOW, THEREFORE, BE IT RESOLVED by the Craven County Board of Commissioners, that the family of Staff Sergeant Sean C. Crotty be recognized as an inspiration and source of support to the local community, and heartily congratulated for being selected as the Military Family of the Quarter.

Adopted this 21st day of March, 2005.

Medicaid Resolution

The Board was requested to adopt a resolution which was solicited by the North Carolina Association of County Commissioners to register counties’ support of the Association’s legislative goal relative to this issue. Commissioner Allen moved to adopt the following resolution Supporting State Assumption of County Share of Medicaid, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

MEDICAID RESOLUTION SUPPORTING STATE ASSUMPTION OF COUNTY SHARE OF MEDICAID

WHEREAS, Craven County pays over \$4.5 million of its expenditures for services to Medicaid eligible citizens; and

WHEREAS, the counties share of Medicaid reimbursements has increased over 67 per cent in the last five years and now totals approximately \$440 million; and

WHEREAS, North Carolina is one of only two states in the nation that require counties to pay a share of all Medicaid services costs; and

WHEREAS, over 8 cents of the 56 cents ad valorem tax rate will be required to fund Craven County's portion of Medicaid this fiscal year; and

WHEREAS, the County's portion of Medicaid has increased by 23% in the first seven months of fiscal year ending June 30, 2005; and

WHEREAS, each citizen of Craven County is required to pay \$52 toward the County's portion of Medicaid;

NOW, THEREFORE, BE IT RESOLVED that the Craven County Board of Commissioners urges the North Carolina General Assembly to provide immediate Medicaid relief to Craven County.

FURTHER BE IT RESOLVED that copies of this resolution be transmitted to the members of the General Assembly representing Craven County.

Adopted this the 21st day of March, 2005

Request to Set Public Hearing for CARTS ROAP Grant

Craven Area Rural Transportation System (CARTS) requested a public hearing for May 2 at 7:00 p.m. in order to apply for and receive ROAP (Rural Operating Assistance Program) Grant Funding. The purpose of the public hearing is to provide the opportunity for local input regarding the sub-allocation of these funds. Commissioner Allen moved to set a public hearing for Monday, May 2 at 7:00 p.m., as requested, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Request to Set Public Hearing on Subdivision Ordinance Amendment

The Planning Department requested a public hearing for Monday, April 4, 2005 at 7:00 p.m. to receive comments regarding proposed amendments to the Craven County Subdivision Ordinance. Commissioner Allen moved to set a public hearing for Monday, April 4, 2005 at 7:00 p.m. to receive comments regarding proposed amendments to the Craven County Subdivision Ordinance, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Health Department Request for Position Reclassification

Health Director, Wanda Sandelé, submitted a request for reclassification of a full-time position (Chemistry Technician III) to a part-time position as a result of a workload reduction in the environmental laboratory. The assigned hours for the new classification will be reduced to 999 per year, creating savings to the County of \$12,321. Commissioner Allen moved to approve the reclassification, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Health Department Request for Implementation of New Salary Grade

Craven County Health Director, Wanda Sandelé, requested that she be authorized to implement a new salary grade for the department's Soil Scientist position due to the difficulty she has experienced in trying to fill the vacancy. The new grade will become effective July 1, 2005 as a grade 70 with a salary range of \$37,681-\$61,669. Additional costs for FY 05/06 will be \$2,173.00 and additional costs for FY 04/05 will be \$502. Commissioner Allen moved to authorize Ms. Sandelé to implement a new salary grade for the Soil Scientist position, as requested, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

Little Swift Creek Fire Department Paving Request

Fire Marshal, Stanley Kite, presented a request on behalf of the Little Swift Creek Fire Department for the Board's assistance in getting the driveway paved for the new fire station on US 17 in the Askin community. In accordance with North Carolina General Statutes, Commissioner Allen moved to adopt a resolution requesting that the Department of Transportation, Division of Highways, approve the use of Secondary Highway Funds for access improvement, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

PUBLIC HEARINGS

Intent to Close a Portion of Middle Street in Bridgeton Heights

At 8:35 a.m. Commissioner Allen moved to go into public hearing, as advertised, to consider public comment on the County's intent to close the portion of Middle Street in Bridgeton Heights between Purifoy Street and the Neuse River. The following citizens spoke:

1. *Dr. Charles Ashford of 111 Bernhurst Road, Bridgeton*, stated that the Bridgeton Heights neighborhood became trouble several years ago when Robert Rowe filed a quit claim deed to the portion of Middle Street between Purifoy Street and the Neuse River, in addition to bringing in fill dirt, building a pier and placing a chain with "keep out" sign across the road. He said that his specific concerns are relative to similar apparent attempts by Mr. Rowe to establish ownership on Purifoy Street adjacent to his property at 111 Bernhurst Rd. He stated that the map that Mr. Rowe presented to the Board at its February 21st meeting demonstrated an incorrect representation of the section of Purifoy Street adjoining the Ashford property and requested that if Middle Street is not closed that the County retain ownership of it and adopt ownership of the section of Purifoy Street that provides access to his property as well.
2. *Robert Rowe of 105 Bernhurst Road, Bridgeton*, stated that there has always been a boat ramp at the end of Middle Street and that CAMA had indicated to him that there would be no permit required for improvements to the ramp and for building a duck blind adjacent to it. He stated that a small pier had been erected as a part of the duck blind; however, CAMA had required it to be taken down and he complied. He stated that the chain and privacy sign that he erected was done at the request of Ms. Joan Miniti and that he had never followed through completely with the process of filing the quit claim deed to the section of Middle Street in question.
3. *Eunice Saunders of 104 D Purifoy Street, Bridgeton*, stated that she has only been a resident of that address for three months; however, she stated that the chain that Mr. Rowe put up across the section of Middle Street adjoining Purifoy Street was to keep her 13, 11 and 7 year old children out and out of danger. She stated that the area was a collection pile for junk until Mr. Rowe started to improve it.
4. *Robert Haskins of 410 Church Road, Bridgeton*, stated that he bought the property that the Andrews now own from Marshall Harvey in the 1950's. At the time of purchase one of the conditions was a lifetime right-of-way to the river. He stated

that no one should be able to claim it. Commissioner Brown inquired if the deed stipulated a right-of-way. Mr. Haskins was unable to answer. He stated that he sold the land to the senior Mr. Andrews around 1958.

5. *Donald Andrews of 319 East Chester Street, Morehead City*, stated that the area has been a concern for years and his family had tried to clean it up and planted shrubbery. He asserted that the County Attorney had presented most of the facts and suggested that the Board proceed as recommended by the County Attorney.
6. *Jack Sedell of 1036 Antioch Road, Bridgeton*, stated that he has cleaned up the section of Middle Street from Purifoy Street to the Neuse River for Mr. Rowe for the last fifteen years, mowing grass and moving trees that had been cut down and were blocking the way. He stated that the other residents, primarily the Turnages, had put trash in the ditches and burned it, thus blocking the ditch at the corner of Middle and Purifoy Streets.
7. *Elizabeth VanApeldoorn of 3504 Old Cherry Point Road*, daughter of Robert Rowe, stated that her grandfather had cleaned up the area along with her father over the years. Due to the controversy that erupted several years ago, they stopped, and the area was grown over; however, the effort has recently resumed.
8. *Dr. Chris Rowe*, wife of Robert Rowe, spoke stating that closing off the subject portion of Middle Street would benefit only two families; however, allowing it to remain open would benefit many.

Mr. Haskins was recognized to speak again and asked how the County could close off what it doesn't own. He also asked if it would be closed off completely. County Attorney, Jim Sugg, responded that NCGS 153A-241 gives the County the authority to close public roads or easements.

9. *Robbie Andrews of 1604 West High Tree Lane, New Bern*, stated that this is not the first time that the Middle Street access has been closed. He said that the Rowes have effectively done this, and the condition has evolved to the point where he cannot put anything on his property adjacent to that section of the street, including his property markers without its being removed by the Rowes. He asserted that someone will benefit no matter which way the issue is resolved. There is currently no drainage and the drainage is worse than it was previously. A pipe was put in by the Rowes that goes nowhere.
10. *Betty Rowe, 113 Bayside Dr, Bridgeton*, stated that she came to the area in 1969 and has lived and maintained Purifoy Street and the road to the river. No one has contributed to the fill dirt except what Mr. Rowe has put in. She asked that the Board leave the access open. Once again Commissioner Brown asked if the deed provided for deeded access to the river. Ms. Rowe was not certain of this.
11. *Joan Turnage of 105 Purifoy Street*, stated that she didn't come with the petition to close Middle Street because she wanted to keep the neighbors out, but wanted to stop Mr. Rowe's harassment. She stated that many of the speakers who are present at the hearing don't live in the area. She also stated that the pier and boat ramp that Mr. Rowe claims to have replaced were originally on her property and there was never a boat ramp at the end of Middle Street. She stated that according to her information from the Register of Deeds office, Mr. Rowe's attorney would need to submit a document to relinquish the quit claim deed in order for the action to be stopped. Mrs. Turnage also disputed that she had ever asked Mr. Rowe to chain the road.
12. *James Turnage of 280 St. Delight's Church Road*, stated that Mr. Rowe was notified on March 14th of a violation relative to his construction at the end of the road and was advised to cease and desist. He also asserted that the quit claim deed in question was never registered as a quit claim deed but was registered as a deed.

13. *Attorney John King*, representing Robert Rowe, stated that the optional means for closing a street are either that the neighbors all petition, which did not occur in this case, or that the Board is being used to accomplish a private purpose. He asked that the Board include Mr. Rowe's February 21st presentation to the Board as part of the record of the public hearing. He further stated that last week Mr. Rowe had filed suit against the Turnages and Andrews for a declaratory judgment to declare the street a public way. He stated that the matter should be resolved as a private matter but an attempt is being made to resolve it in a public forum.
14. *Rebecca Rowe of 107 Burnhurst Road*, daughter of Robert Rowe, stated that no one has kept up the area in her memory besides the Rowe family.
15. *Steve Rowe, Vanceboro*, son of Robert Rowe, stated that the original owner was his grandfather and the Rowe family has always maintained that area of Middle Street.

Ms. VanApeldoorn was allowed to speak again and clarified that she came to speak at the hearing because she and her husband helped clean the area with her father, although they do not live in the area.

At 9:50 a.m. there were no additional members of the public who wished to speak. Commissioner Sisk moved to close the public hearing, seconded by Commissioner Allen and unanimously carried.

FY 03 Close-Out for CDBG – Scattered Site Program

The public hearing started at 9:50 by motion of Commissioner Sisk, seconded by Commissioner Sampson. The Board was advised that the total project cost of the 03 CDBG was \$400,000 which benefited seven homes, including five dilapidated homes that were replaced with double-wide mobile homes and two units that were repaired. In addition, four septic systems were repaired and two replaced. There were no members of the public who wished to speak and at 9:53 a.m. Commissioner Sisk moved to close the public hearing, seconded by Commissioner Morris and unanimously carried.

REQUEST FOR PROCLAMATION – “WEEK OF THE YOUNG CHILD”

Pinkie Moore of Smart Start made a presentation to the Board concerning the mission and activities of Smart Start. Commissioner Allen moved to adopt the following proclamation in recognition of the “Week of the Young Child”, seconded by Commissioner Morris and unanimously carried.

WEEK OF THE YOUNG CHILD PROCLAMATION

WHEREAS, the Craven County Partnership for Children and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 3-April 9; and

WHEREAS, by calling attention to the need for high-quality early childhood services for all children and families within our community, these groups hope to improve the quality and availability of such services; and

WHEREAS, the future of our community depends on the quality of the early childhood experiences provided to young children today; and

WHEREAS, high-quality early childhood services represent a worthy commitment to our children's future;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Craven County, North Carolina, do hereby proclaim April 3 through April 9 as The Week

of the Young Child in Craven County, North Carolina and urge all citizens to recognize and support the needs of children in our community.

Adopted this the 21st day of March, 2005.

BOARD OF EDUCATION REQUESTS

Approval of Commissioners to Transfer Funds

David Clifton, Assistant Superintendent of Craven County Schools, presented a request on behalf of the Board of Education for approval to transfer \$390,000 from the school's current fund balance to the capital outlay fund. This amount includes \$90,000 to upgrade the school's IBM AS400 and the remaining \$300,000 to repair the running tracks at Havelock High School and West Craven High School. Commissioner Morris moved to approve the request for the transfer for the upgrade of the two high school tracks and the AS400 computer upgrade, seconded by Commissioner Staton. During discussion Commissioners Sisk and Allen questioned the urgency of taking action at this time when a new budget year is about to begin. In a roll call vote the motion carried with four (4) "Ayes", there being three (3) "Nays" from Commissioners Sisk, Allen and Harper.

Authorization for Use of County Funds to Repair Roof at Former CETC Building

The Board was requested to allow the Board of Education to use monies the County has set aside for school roof repairs at several schools to replace the roof at the former Craven Evaluation and Training Center. Mr. Clifton stated that the funds that would be used were left over from an appropriation for the Havelock High School and West Craven High School roof repairs as a result of savings from bids that came in under budget. Commissioner Sampson moved to approve the request, seconded by Commissioner Staton and carried in a roll call vote by four (4) "Ayes", there being three (3) "Nays" from Commissioners Sisk, Allen and Harper.

AIRPORT MATTERS

Land Acquisition

Airport Attorney, Ray Dunn, presented a request that the County authorize the purchase of additional land at the airport at 700 Clermont Road in New Bern. Commissioner Sampson moved to approve the request, seconded by Commissioner Morris and unanimously carried.

Airport Authority Membership Expansion

Mr. Dunn requested on behalf of the Airport Authority that the Board approve local legislation being considered to expand the Airport Authority membership from five to eight members. Authority Chairman, Jim Creech, stated that the three new members recommended for appointment by the Airport Authority are Scott Bassey, Bill Naumann and Clement Scholler. Commissioner Allen stated his support of the legislation; however, consideration of nominees to fill the additional positions needs to be deferred until the expansion is formally in place. He moved to endorse the legislative delegation's support of the draft local legislation to expand the Airport Board from five to eight members, seconded by Commissioner Harper and unanimously carried.

COMMUNITY SERVICES BLOCK GRANT REVIEW

Ms. Charlotte Neely of Coastal Community Action, presented a summary of the proposed plan for the FY 2005 Community Services Block Grant Program, as required for public review by the County Board of Commissioners. There was no action necessary relative to this item.

RESOLUTION FROM SHERIFF'S DEPARTMENT

Sgt Jesse Pittman of the Craven County Sheriff's Department, presented a request that the Board adopt a local governmental resolution of the North Carolina Governor's Highway Safety Program authorizing filing of an application contract for federal funding in the amount of \$5,150 for Craven County's Check Point Equipment Project contract. Commissioner Harper moved to authorize the application, seconded by Commissioner Morris and unanimously carried. Mr. Pittman stated that the application would involve no cost to the County. The unit, originally funded by the Governor's Highway Safety Program, was absorbed by the Sheriff's Department with no additional creation of positions as a result of naturally occurring vacancies.

At 10:30 a.m. the Board was declared in recess and reconvened at 10:40 a.m.

SUBDIVISION APPROVALS

The Board then considered subdivision approvals, which had been removed from the Consent Agenda, and received comments from Planning Director, Don Baumgardner, concerning the Tivoli Subdivision. Commissioner Allen moved to approve the subdivisions, as presented, seconded by Commissioner Staton and unanimously carried.

Crooked Run Phase 1 – Final (formerly Wake Properties MHP): The property, owned by Wake Properties, LLC and engineered by Avolis Engineering, is located within Twp. 7 off US Hwy 70 E. The subdivision contains 37 lots on 10.57 acres and is proposed to be served by community water and sewer. The Planning Board reviewed and recommended the subdivision for final approval.

River Bluffs Section 6 and 7 (Revised) – Final: The property, owned by River Bluffs Ltd. Partnership and surveyed by Avolis Engineering, is located within Twp. 7 off of River Bluffs Drive. The subdivision contains 24 lots on 12.97 acres and is proposed to be served by community water and sewer. The Planning Board reviewed and recommended the subdivision for final approval.

Pinewood Ridge – Final: The property, owned by Pyramid Framing Company, Inc., and surveyed by Baldwin and Associates, is located within Twp. 1 off of SR 1469 (Pitt County Line Road). The subdivision contains 11 lots on 36.93 acres and is proposed to be served by individual wells and septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Marsh Harbor – Lots 2 and 3 – Section 1 – Final: The property, owned by Rudolph Taylor and surveyed by James L. Powell, is located within Twp. 6 off NC Hwy. 101 on Nuesiok Drive. The subdivision contains 2 lots on 6.37 acres and is proposed to be served by individual wells and septic systems. The Planning Board reviewed and recommended the subdivision for final approval.

Tivoli Subdivision – Final: The property, owned by Owen P. Dunn and surveyed by Strickland Surveying, is located within Twp. 7 along Hickory Street. The subdivision contains 3 lots on 4.01 acres and is proposed to be served by community water and individual septic systems. The Planning Board recommended the subdivision for final approval.

Gregory A. Smith Division – Final: The property, owned by Bobby and Georgia Kirkman and surveyed by Kendall Gaskins, is located within Twp. 1 off of SR 1400 (River Road). The subdivision contains 1 lot on 1 acre and is proposed to be served by an existing well and septic system. The Planning Board reviewed and recommended the subdivision for final approval.

Matthew D. Adams Division – Final: The property, owned by Matthew D. Adams and surveyed by Matthews Surveying, is located within Twp. 9 off NC Hwy. 55 W. The subdivision contains 1 lot on 1.28 acres and is proposed to be served by an individual septic system and community water. The Planning Board reviewed and recommended the subdivision for final approval.

UPDATE ON WIND BORNE DEBRIS PROVISION OF THE NORTH CAROLINA BUILDING CODE REQUIREMENT

Planning Director, Don Baumgardner, provided an update, explaining that reinstatement of the Wind Borne Debris provision in the North Carolina Code, was requested due to the effect that its absence has on the County's building code effectiveness rating and its relationship to the insurance rating process. Units of local government cannot establish provisions higher than the state code. It is projected that by January 2006, building code effectiveness ratings will be made available to all insurers in North Carolina.

Commissioner Long of the Department of Insurance has put the County on notice that there will likely be increases associated citizens' insurance coverage in order to cover insurance companies' losses as a result of the North Carolina standard being set lower than the international standard.

DEPARTMENT OF DEFENSE OFFICE OF ECONOMIC ADJUSTMENT GRANT APPLICATION

The Board considered a request from the City of Havelock that the County partner with the City for the grant application which the City is submitting to the Department of Defense Economic Adjustment. Commissioner Allen stated that there would be no money involved from the County, and guaranteed that the project would not affect the Allies for Cherry Point's Tomorrow's BRAC efforts. He moved to support the request, seconded by Commissioner Staton and unanimously carried.

ALLIES FOR CHERRY POINT'S TOMORROW REQUEST

The Board reconsidered a request from Jimmy Sanders, President of Allies for Cherry Point's Tomorrow, which it received at its February 21st meeting, that the County fund \$25,000 in the next sixty days from the \$50,000 that was appropriated in the current year's budget. Commissioner Allen moved to approve the distribution of the appropriated funds in the amount of \$25,000, seconded by Commissioner Morris and unanimously carried in a roll call vote.

APPOINTMENTS

Township Six Fire Tax Commissioner

The Board received correspondence nominating Dr. Larry S. Paul of Havelock to fill a vacancy on the Township Six Fire Tax Commission created by the death of Angelo Batista. Commissioner Allen nominated Dr. Paul. There being no other nominees, Commissioner Morris moved to close nominations and appoint Dr. Paul by acclamation, seconded by Commissioner Allen and unanimously carried.

Township #3 Fire Tax Commissioner

The Board was advised of the resignation of Charles Willis as a Fire Tax Commission in Township #3 and received a recommendation that Mr. James W. Smith be appointed to this vacancy. Commissioner Morris nominated Mr. Smith and there being no additional nominees, Commissioner Staton moved to close nominations and appoint Mr. Smith by acclamation, seconded by Commissioner Morris and unanimously carried.

Vanceboro Library Board

The Board was advised previously of the expiring terms of Carol Campbell and Dorothy Gaskins on the Vanceboro Library Board. As Ms. Campbell has already served the limit established by the Craven County Board of Commissioners By-laws, Commissioner Morris moved to suspend the rule regarding term limits relative to the appointment of Carol Campbell, seconded by Commissioner Allen and unanimously carried. Commissioner Morris nominated Ms. Gaskins and Ms. Campbell for reappointment. There being no additional nominees Commissioner Staton moved to close nominations

appointing Ms. Gaskins and Ms. Campbell by acclamation. Commissioner Morris seconded the motion, which carried unanimously.

COUNTY ATTORNEY’S REPORT

Reconveyance of Property

County Attorney, Jim Sugg, presented the following resolution to reconvey property (lot #1 in the Brownsville Section of James City) to the former owner, Ray Reason, dba Riverwind (LLC). The property came into the possession of Craven County as a result of a tax lien. Mr. Reason explained that the property taxes were allowed to lapse due to his extended illness and agreed to pay the taxes owed in addition to all costs associated with the transfers. Mr. Sugg advised the Board that the General Statutes do allow for a private negotiated sale, in this case, without advertising. Commissioner Harper moved to approve the reconveyance of the property to Riverwind, LLC, seconded by Commissioner Sampson and unanimously carried in a roll call vote.

NORTH CAROLINA

CRAVEN COUNTY

RESOLUTION TO RECONVEY PROPERTY TO FORMER OWNER

WHEREAS, Craven County (hereinafter “County”) is the owner of the hereinafter described parcel of land and desires to convey the same to the former owner, Riverwind of Craven County, LLC, t/a/ D&S Landscaping, a limited liability company existing pursuant to the laws of the State of North Carolina (hereinafter “Riverwind”); and

WHEREAS, County became the owner of said property through a tax foreclosure proceeding, said proceeding captioned “Craven County vs. Riverwind of Craven County, LLC, et al., File No. 03-CVD-1621,” which owner owed taxes levied upon said property as described in the Commissioner’s Deed attached hereto as Exhibit “A”, which has been recorded in Book 2268 at Page 834 in the Office of the Register of Deeds of Craven County; and

WHEREAS, Riverwind is the former owner and is responsible for the payment of the taxes; and

WHEREAS, the foreclosure sale has been consummated and the Commissioner’s Deed recorded on the 24th day of January, 2005 in Book 2268 at Page 834 in the Office of the Register of Deeds of Craven County and Riverwind has requested that County reconvey said parcel to Riverwind; and

WHEREAS, Riverwind has agreed to reimburse County for all of the taxes, interest, costs and penalties incurred in connection with the foreclosure proceedings, together with the costs in the amount of \$300.00 that have been incurred in connection with the negotiated reconveyance by County of the property to Riverwind.

NOW, THEREFORE, BE IT HEREBY RESOLVED that Craven County shall execute a deed to Riverwind of Craven County, LLC, t/a D&S Landscaping, a limited liability company, conveying all the property heretofore conveyed to County by Mark D. Bardill by Commissioner’s Deed recorded on the 24th day of January, 2005 in Book 2268

at Page 834 in the Office of the Register of Deeds of Craven County. The Chairman of the Craven County Board of Commissioners is hereby authorized to sign and execute said deed of conveyance pursuant to the authority granted in N.C. Gen. Stat. § 105-376(c).

Done this 21st day of March, 2005.

Matter of the Closing of a Portion of Middle Street in Bridgeton Heights

Mr. Sugg advised the Board that he had not been aware of the filing of a lawsuit by Mr. Rowe and how it might possibly impact the County, if at all. He recommended deferring action on the order to close Middle Street to allow him to research the matter. Commissioner Allen moved to defer consideration of the order to close Middle Street in Bridgeton Heights for a time certain until the Board's April 4th meeting, seconded by Commissioner Harper and unanimously carried.

COMMISSIONERS' REPORTS

Commissioner Sampson commented on the elevated gas prices and expressed the desire that the pressure be brought to bear on the appropriate elected officials that have leverage to bring about some change.

Commissioner Sisk reminded the Board and the public that April 7th is the date of the State of the Child Conference that will be held at First Baptist Church, and issued a public invitation to attend.

Commissioner Staton announced that on March 29th there will be a meeting at the Harlowe Community Center at 7:00 p.m. regarding the Council of Governments Study Report for Clubfoot Creek. He also commented on the safety at the meetings of the Board of Commissioners and requested that security be made available at all of the Boards' meetings.

Commissioner Allen explained that he did not vote against the Board of Education request because of a tendency by the schools to spend down at the end of the budget year. He commented on the value of the conferences which Commissioners attend and highlighted the 2005 NACo Legislative Conference held at the beginning of March. He stated that the issue of community development block grants, which was in jeopardy, is now back in discussion as a result of the activities of the Commissioners during the legislative conference.

Commissioner Morris commented that the NACo Legislative Conference usually falls before the budget sessions and is an opportune time for local public officials to influence budgeting at the federal level. He stated that the focus during the summer national conference is how the local governments can access funds that have been appropriated.

At 11:30 a.m. Commissioner Sisk moved to adjourn to reconvene at the Craven County Agricultural Extension building immediately following the adjournment for a briefing, seconded by Commissioner Morris and unanimously carried.

The meeting reconvened at 12:30 at the Agricultural Extension building. At that time the Board heard presentations concerning the programs of the Agricultural Extension Service. The presentations ended at 2:30 p.m. and at that time the Board stood adjourned.

Chairman George N. Brown, Jr.
Craven County Board of Commissioners

Gwendolyn M. Bryan, Clerk to the Board